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EXAMINER	
KAYES, SEAN PHILLIP	
ART UNIT	**PAPER NUMBER**
2841	

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/823,830	JIDDOU ET AL.	
	Examiner	Art Unit	
	Sean Kayes	2841	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *14 April 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 April 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-7, 9-11, and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Brunts (US 5424316.)

3. With respect to claim 1 Brunts discloses a method for determining a time zone based date and time from a Global Positioning System (GPS) signal comprising: receiving a time zone reference signal at a telematics device (figure 2, additionally see column 2 lines 46-48); determining a local Coordinated Universal Time (UTC) correction from the time zone reference signal (column 2 lines 48-58); storing the local UTC correction (column 2 lines 53-58 and column 2 lines 28-32); and calculating local time from the local UTC correction and the GPS signal (column 2 lines 57-61.)

4. With respect to claim 2 Brunts discloses the method of claim 1 wherein the receiving a time zone reference signal at a telematics device comprises receiving a time zone reference signal on occurrence of an event selected from the group consisting of initial telematics device configuration (the device would perform basic operations after power is turned on for the first time), telematics device

reconfiguration (the device would perform basic operations after being turned off and than back on), a vehicle triggered event (time zone update by dead reckoning, column 2 lines 60-64), and a system triggered event (automatic updates, column 2 lines 28-32.)

5. With respect to claim 3 Brunts discloses the method of claim 1 wherein the time zone reference signal is a GPS signal and the determining a local Coordinated Universal Time (UTC) correction from the time zone reference signal comprises: determining a vehicle location from the GPS signal (column 2 lines 48-51); determining a local time zone from the vehicle location (column 2 lines 53-58); and determining a local UTC correction for the local time zone column 2 lines 53-58.)

6. With respect to claim 6 Brunts discloses the method of claim 1 wherein the storing the local UTC correction comprises storing the local UTC correction in a location selected from the group consisting of an in-vehicle memory (column 2 lines 28-32 and lines 53-58), a web-hosting portal database, and a communications services database.

7. With respect to claim 7 Brunts discloses the method of claim 1 further comprising scheduling mobile vehicle communication system activities based on the local time. (The communication between the GPS antenna, 72 figure 1, and the GPS satellite would only commence when the vehicle is on. Vehicle operation necessarily takes into account local time. The vehicle would only operate when being operated by a driver which is subject to a local schedule.)

8. With respect to claim 9 Brunts discloses a system for determining a time zone based date and time from a Global Positioning System (GPS) signal comprising: means for receiving a time zone reference signal at a telematics device (figure 2, additionally see column 2 lines 46-48); means for determining a local Coordinated Universal Time (UTC) correction from the time zone reference signal (figure 2, additionally see column 2 lines 48-58); means for storing the local UTC correction (36 figure 2, 94, 96, 126 and 100 figure 3, additionally see column 2 lines 53-58 and column 2 lines 28-32); and means for calculating local time from the local UTC correction and the GPS signal (68 figure 2, additionally see column 2 lines 57-61.)

9. With respect to claim 10 Brunts discloses the system of claim 9 wherein the means for receiving a time zone reference signal at a telematics device comprises means for receiving a time zone reference signal on occurrence of an event selected from the group consisting of initial telematics device configuration, telematics device reconfiguration, a vehicle triggered event, and a system triggered event (see rejection of claim 2; additionally see time zone update by dead reckoning column 2 lines 60-64; automatic updates column 2 lines 28-32.)

10. With respect to claim 11 Brunts discloses the system of claim 9 wherein the time zone reference signal is a GPS signal and the means for determining a local Coordinated Universal Time (UTC) correction from the time zone reference signal comprises: means for determining a vehicle location from the GPS signal (column 2 lines 49-53 and figure 2); means for determining a local time zone from the vehicle location (column 2 lines 48-58 and figure 2); and means for

determining a local UTC correction for the local time zone (column 2 lines 53-58 and figure 2.)

11. With respect to claim 14 Brunts discloses the system of claim 9 further comprising means for scheduling mobile vehicle communication system activities based on the local time (see rejection of claim 7.)

12. With respect to claim 15 Brunts discloses a computer readable medium storing a computer program for determining a time zone based date and time from a Global Positioning System (GPS) signal, the computer program comprising: computer readable code for receiving a time zone reference signal at a telematics device; computer readable code for determining a local Coordinated Universal Time (UTC) correction from the time zone reference signal; computer readable code for storing the local UTC correction; and computer readable code for calculating local time from the local UTC correction and the GPS signal (See rejection of claim 1, additionally see column 2 lines 44-64 and figures 2 and 3.)

13. With respect to claim 16 Brunts discloses the computer readable medium of claim 15 wherein the computer readable code for receiving a time zone reference signal at a telematics device comprises computer readable code for receiving a time zone reference signal on occurrence of an event selected from the group consisting of initial telematics device configuration, telematics device reconfiguration, a vehicle triggered event, and a system triggered event (See rejection of claim 2, additionally see time zone update by dead reckoning column 2 lines 60-64), and a system triggered event automatic updates column 2 lines 28-32.)

14. With respect to claim 17 Brunts discloses the computer readable medium of claim 15 wherein the time zone reference signal is a GPS signal and the computer readable code for determining a local Coordinated Universal Time (UTC) correction from the time zone reference signal comprises: computer readable code for determining a vehicle location from the GPS signal; computer readable code for determining a local time zone from the vehicle location; and computer readable code for determining a local UTC correction for the local time zone (See rejection of claim 3, additionally see column 2 lines 44-64 and figures 2 and 3.)

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

16. Claims 4-5, 12-13, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brunts (US 5724316) in view of Lynch (US 6963588.)

17. With respect to claim 4 Brunts discloses the method of claim 1. Brunts does not discloses wherein the time zone reference signal is a Code Division Multiple Access (CDMA) signal including CDMA time and the determining a local

Coordinated Universal Time (UTC) correction from the time zone reference signal comprises: determining UTC time from the GPS signal; and calculating a local UTC correction from the UTC time and the CDMA time.

18. Lynch teaches setting clock time according to a time zone using a CDMA signal (see column 2 lines 4-21.) Furthermore Brunts suggests the need for a backup system to the GPS for determining the time zone (column 2 lines 60-64.)

19. At the time of the invention it would have been obvious to one skilled in the art to use a CDMA signal as a time zone reference signal, as taught by Lynch, in Brunts' invention. When a GPS signal becomes unavailable or unreliable the time zone of the vehicle or device and the UTC correction can be determined by comparing the CDMA signal with the last known time signal from the GPS (taking into account any elapsed time.)

20. The suggestion or motivation for doing so would be to provide a backup for when a GPS signal is intermittent or not available and when a CDMA signal is.

21. With respect to claim 5 Brunts discloses the method of claim 1. Brunts does not discloses wherein the time zone reference signal is a Code Division Multiple Access (CDMA) signal including a CDMA local time correction and the determining a local Coordinated Universal Time (UTC) correction from the time zone reference signal comprises setting the UTC correction equal to the CDMA local time correction.

22. Lynch teaches setting clock time according to a time zone using a CDMA signal (see column 2 lines 4-21.) Furthermore Brunts suggests the need for a backup system to the GPS for determining the time zone (column 2 lines 60-64.)

23. At the time of the invention it would have been obvious to one skilled in the art to use a CDMA signal as a time zone reference signal, as taught by Lynch, in Brunts' invention.

24. The suggestion or motivation for doing so would be to provide a backup for when a GPS signal is intermittent or not available and when a CDMA signal

25. With respect to claim 12 Brunts discloses the system of claim 9. Brunts does not disclose wherein the time zone reference signal is a Code Division Multiple Access (CDMA) signal including CDMA time and the means for determining a local Coordinated Universal Time (UTC) correction from the time zone reference signal comprises: means for determining UTC time from the GPS signal; and means for calculating a local UTC correction from the UTC time and the CDMA time.

26. Lynch teaches setting clock time according to a time zone using a CDMA signal (see column 2 lines 4-21.) Furthermore Brunts suggests the need for a backup system to the GPS for determining the time zone (column 2 lines 60-64.)

27. At the time of the invention it would have been obvious to one skilled in the art to use a CDMA signal as a time zone reference signal, as taught by Lynch, in Brunts' invention. When a GPS signal becomes unavailable or unreliable the time zone of the vehicle or device and the UTC correction can be

determined by comparing the CDMA signal with the last known time signal from the GPS (taking into account any elapsed time.)

28. The suggestion or motivation for doing so would be to provide a backup for when a GPS signal is intermittent or not available and when a CDMA signal

29. With respect to claim 13 Brunts discloses the system of claim 9. Brunts does not discloses wherein the time zone reference signal is a Code Division Multiple Access (CDMA) signal including a CDMA local time correction and the means for determining a local Coordinated Universal Time (UTC) correction from the time zone reference signal comprises means for setting the UTC correction equal to the CDMA local time correction.

30. Lynch teaches setting clock time according to a time zone using a CDMA signal (see column 2 lines 4-21.) Furthermore Brunts suggests the need for a backup system to the GPS for determining the time zone (column 2 lines 60-64.)

31. At the time of the invention it would have been obvious to one skilled in the art to use a CDMA signal as a time zone reference signal as taught by Lynch in Brunts' invention.

32. The suggestion or motivation for doing so would be to provide a backup for when a GPS signal is intermittent or not available and when a CDMA signal

33. With respect to claim 18 Brunts discloses the computer readable medium of claim 15. Brunts does not disclose wherein the time zone reference signal is a Code Division Multiple Access (CDMA) signal including CDMA time and the

computer readable code for determining a local Coordinated Universal Time (UTC) correction from the time zone reference signal comprises: computer readable code for determining UTC time from the GPS signal; and computer readable code for calculating a local UTC correction from the UTC time and the CDMA time.

34. Lynch teaches setting clock time according to a time zone using a CDMA signal (see column 2 lines 4-21.) Furthermore Brunts suggests the need for a backup system to the GPS for determining the time zone (column 2 lines 60-64.)

35. At the time of the invention it would have been obvious to one skilled in the art to use a CDMA signal as a time zone reference signal as taught by Lynch in Brunts' invention. When a GPS signal becomes unavailable or unreliable the time zone of the vehicle or device and the UTC correction can be determined by comparing the CDMA signal with the last known time signal from the GPS (taking into account any elapsed time.)

36. The suggestion or motivation for doing so would be to provide a backup for when a GPS signal is intermittent or not available and when a CDMA signal

37. With respect to claim 19 Brunts discloses the computer readable medium of claim 15. Brunts does not disclose wherein the time zone reference signal is a Code Division Multiple Access (CDMA) signal including a CDMA local time correction and the computer readable code for determining a local Coordinated Universal Time (UTC) correction from the time zone reference signal comprises

computer readable code for setting the UTC correction equal to the CDMA local time correction.

38. Lynch teaches setting clock time according to a time zone using a CDMA signal (see column 2 lines 4-21.) Furthermore Brunts suggests the need for a backup system to the GPS for determining the time zone (column 2 lines 60-64.)

39. At the time of the invention it would have been obvious to one skilled in the art to use a CDMA signal as a time zone reference signal as taught by Lynch in Brunts' invention.

40. The suggestion or motivation for doing so would be to provide a backup for when a GPS signal is intermittent or not available and when a CDMA signal

41. Claims 7, 8, 14, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brunts (US 5724316) in view of Schick (US 2002/0059075.)

42. With respect to claim 7 Brunts discloses the method of claim 1. Brunts does not disclose scheduling mobile vehicle communication system activities based on the local time (other than as interpreted above in the 102 rejection to claim 7.)

43. Schick teaches downloading vehicle information (page 4 paragraph 34.) Schick additionally teaches downloading said data during times of ideal data link availability (paragraph 34 lines 27-30, the last 4 lines.)

44. At the time of the invention it would have been obvious to one skilled in the art to combine Schick's data transfer protocol with Brunts' method of determining correct time.

45. The suggestion or motivation for doing so would be to monitor the vehicle in use as taught by Schick. The times of ideal data link availability would necessarily depend on local time.

46. With respect to claim 8 Brunts in view of Schick teaches the method of claim 7 wherein the scheduling mobile vehicle communication system activities based on the local time comprises scheduling mobile vehicle communication system activities selected from the group consisting of Vehicle Data Uploads (VDUs), user requested notices, and system scheduled notices (Figure 2 and additionally see paragraph 34 page 4.)

47. With respect to claim 14 Brunts in view of Schick teaches the system of claim 9 further comprising means for scheduling mobile vehicle communication system activities based on the local time (see 103 rejection of claim 7 above.)

48. With respect to claim 20 Brunts in view of Schick discloses the computer readable medium of claim 15 further comprising computer readable code for scheduling mobile vehicle communication system activities based on the local time (see 103 rejection of claim 7 above.)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sean Kayes whose telephone number is (571) 272-8931. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Gray can be reached on (571)272-2119. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SK
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